

En Banc

Vol. I No. 4
February 1997

Newsletter of the Superior Court Law Library

INSIDE:

<i>New Library Services</i>	1
<i>Tax Forms</i>	1
<i>Document Delivery</i>	1
<i>Superior Court Overview</i>	1
<i>Training Opportunities</i>	2
<i>Electronic Resources</i>	2
<i>Computer Resources</i>	2
<i>Database Review</i>	2
<i>Internet Site Review</i>	2
<i>Useful Internet Sites</i>	3
<i>Library Staff</i>	3
<i>Featured Employees</i>	3
<i>From The Southeast Branch</i>	3
<i>Did You Know?</i>	4
<i>New Materials in the Library</i>	4
<i>Book Reviews</i>	4
<i>Article Reviews</i>	4
<i>"Did You Know?" Answers</i>	4
<i>Recently Received Books</i>	5
<i>Contributors</i>	5

New Library Services

❑ Tax Forms

It's income tax time again and if you are trying to locate that hard to find form look no further. The Law Library has all state and federal tax forms from 1980 through 1995. In addition we have all of the federal and most of the state forms for 1996. Most of the tax forms are available for photocopying and for some states we receive the actual booklets.

The booklets are available free of charge while they last. All other forms may be photocopied by patrons for \$0.10 per page or sent to individuals, for a charge, via our document delivery service. We also have copies of the various IRS publications. Please call the Information Desk at 506-3945 if you have any questions, or to place a document delivery request.

If you have Internet access and are looking for tax information please check out the Internet site review located in this issue.

❑ Document Delivery

The Library offers a variety of document delivery services for materials available in the Library or via the Internet. Library staff will copy and mail or fax materials to patrons for a fee. The charges for mailing are: \$2.50 service charge and \$0.25 per page. If you prefer to have the information faxed it is a \$5.00 service charge and \$0.50 per page for local calls or \$1.00 per page for long distance calls. Materials being mailed will go out within 24 hours of the request being received, fax requests are processed on the day they are received.

In addition the Library offers a photocopy-while-you-wait service. The Library staff will copy materials brought to the Information Desk for a charge of \$0.20 per page.

If the information is contained on our computer network or available via the Internet the Library staff will e-mail the materials to you. Requests are limited to 10 cites. When requesting materials, which can be done via phone or by e-mail, please indicate what type of word processor you are using. If you do not specify or do not know what format you need, materials will be sent in an ASCII text format to help insure delivery.

The Library reserves the right to refuse any copy order if, in its judgment, fulfillment of the order would involve a copyright violation. To make a document delivery request please contact the Information Desk at 506-3945. To make a request via e-mail please send mail to sandeen@smtpgw.maricopa.gov.

❑ Superior Court Overview

Have you ever wondered about what goes on behind the scenes here at the Superior Court? This new section is designed to answer some of your questions. Each issue will focus on a different department and explore the roll it plays in the daily operation of the Court.

This month we will begin by providing you an overview of the Superior Court in Maricopa County. This is the eighth largest trial court in the country with 70 judges and 31 full-time commissioners and a support staff of over 2,300 employees. The Court receives almost 100,000 new case filings every year.

Since 1995 Judge Robert D. Myers has

En Banc

Newsletter of the
Superior Court Law Library

Superior Court Law Library
101 W. Jefferson
Phoenix, Arizona
85003

(602)506-3945 (phone)
(602)506-3677 (fax)

sandeen@smtpgw.maricopa.gov

been Presiding Judge of the Court. This Court has become nationally recognized for its innovative case flow management programs such as the Fast Track civil system, jury reform efforts, and litigant services like the Self-Service Center.

The Superior Court divides its cases between six departments: Domestic Relations, Civil, Criminal, Juvenile, Tax, and Probate/Mental Health. Each department has its own presiding judge. Although judges are assigned to specific departments they do not necessarily stay in an area forever. Judges may move from one department to another every two or three years, through the Court's judicial rotation program.

If you have any further questions about the Superior Court or its structure please ask one of the Reference Librarians or check out the Superior Court Web page at: <http://www.maricopa.gov/supcrt/homepg2.html>

■ Training Opportunities

The Law Library has added several new training opportunities for attorneys and their staff members, judges and their staff, and the public. These classes are being held in the online services room and cover how to use our electronic resources and the Internet for legal research.

The Electronic Resources class for members of the bar is being offered from 12:15 to 1:15 on alternating Thursdays. Class size is limited and computer familiarity is helpful, but not required. A similar class for judicial officers and staff is offered on alternate Tuesdays from 12:15 to 1:15.

The Reference staff offers several COJET's, for court personnel. Classes include: *Basic Law Library Research*, *Advanced Law Library Research*, *How to Find a Statute*, and *How to do Legislative History*. Classes are being held from 9:00 - 10:30 on alternate Wednesdays. To

register for a COJET please call the Training Department at x3393.

Space is limited so please call to determine when classes are being held.

In addition to our classes the Reference staff will schedule one-on-one training sessions with patrons to teach you how to use our computer resources. Please try and give staff at least three days notice when scheduling a one-on-one session.

Contact the Reference staff at 506-3681 to register for a class, schedule a one-on-one session, obtain more information, or to inquire about future training opportunities.

Electronic Resources

■ Computer Resources

As you may have noticed, we removed the CD-ROM tower from the south side of the online room. *Shepard's California Citations*, *Deerings California Code*, *California Administrative Code*, *AmJur Pleading and Practice Forms* and *Proof of Facts* are now available on the Library network. *ALR 3rd*, *4th*, and *5th*, and *ALR Federal* are available as standalones, and can be used at any of the PC's that have a CD-ROM drive. We also have many other non-networked (standalone) titles available for use on our PC's. Just ask for the CD's at the Reference Desk.

The Library is in the process of developing its electronic resource collection. Please assist us in this process by filling out one of the electronic resource surveys or by informing the Reference staff of any suggestions.

Due to an increase in the number of patrons using the computers and printing information, we must ask that all patrons please limit printing to twenty-five pages. You may only print from computers with attached

printers. Materials can be downloaded to disks from any computer and imported into any IBM compatible word processor. Patrons may use their own disks or purchase one from the Information Desk for \$1.00.

Please ask the Reference staff for assistance if you have any questions.

■ Database Review

American Law Institute's *Restatements of the Law* are available on the Library network. The titles included are: Agency, Conflict of Laws, Contracts, Foreign Relations Law of the U.S., Judgments, Property, Restitution, Security, Suretyship and Guaranty, Torts, Trusts, and Unfair Competition. Each title includes the complete text along with an index. If you want to know what a particular title covers, and how to cite it properly, just click on the *scope* button at the bottom of the screen.

This CD is produced by West Publishing, and uses Premise search software, so it should be familiar to anyone who has used other West CD-ROM titles such as *Arizona Reports*. Premise allows for simple keyword searching, as well as more complex search methods. The Library staff is always available if you need help formulating your search.

■ Internet Site Review

TaxWeb
<http://www.taxweb.com/index.html>
One of the most comprehensive sites for tax information available. There are links to sites providing state and federal tax forms, information on how to file, where to file, how to get an extension, and which states allow you to file electronically. There are also links on this page to the full text of the tax code, information about recent legislation affecting income taxes, and discussion groups aimed at tax professionals.

This site is comprehensive, easy to use, and provides users with answers to most of their tax questions.

❑ Useful Internet Sites

Links to Full-Text Newspapers
<http://www.chs.chico.k12.ca.us/libr/webres/news.html>

Virtual Magistrate
<http://vmag.law.vill.edu:8080/>

American Arbitration Association
<http://www.adr.org/>

Piper Letter - Links to State Court Web Pages
<http://www.piperinfo.com/pl03/statedir.html>

ASU Library Catalog
<http://www.lib.asu.edu/>

Publications of Interest on the Internet

Proposed Standards for Electronic Filing in Federal Court
<http://www.fjc.gov>

ABA Death Penalty Fairness Position
<http://www.abanet.org/media/feb97/death.html>

Library Staff

❑ Featured Employees

This month the Library would like to focus on three of our technical services staff. These are the people that you seldom see, but who keep the Library running smoothly. In addition we would like to welcome our new assistant, Shanelle Ogden who will be helping on both the Information and Reference Desks.

Michelle Dyer-Hurdon, Librarian II, oversees the cataloging area as well as the Library network and will be busy the next few months overseeing the installation of the new online catalog.

Michelle and her husband fled the cold climate of Michigan in 1993 for the warmth of the Southwest. She

received her Masters in Library Science from Wayne State University in Detroit. She has worked in a variety of libraries including Pinal County Public Library, Mesa Public Library and the Phoenix College Library. In her spare time, Michelle enjoys reading mysteries and biographies and likes to hike and camp.

Frankie Hernandez is, by official title, a Law Library Assistant III. Her working title is cataloging assistant. It is her responsibility to make sure that all of our books receive the correct classification number. With over 120,000 volumes, it is a big job.

Frankie has lived in Phoenix her entire life and began her career with Maricopa County 14 ½ years ago as a library aide with the County Library. While there, she spent 4 years driving the bookmobile. She has been with the Law Library for 8 ½ years. Away from work, Frankie enjoys reading contemporary novels and classical Russian literature. When she isn't reading, you'll find her on the banks of Oak Creek fishing with her husband and daughter.

Dawn Way is a Law Library Assistant I who oversees processing and loose leafing. She is also in charge of supplies and bindery. She helps with the maintenance of the CD-ROM's and assists with automation.

Originally from southern Indiana, Dawn has lived in Arizona for 10 years. She is currently in her second year at ASU where she is working on a Bachelor's Degree in Business Computer Information Systems. Prior to coming here to work, she worked at the State Law Library. She likes anything involving computers. She loves going to the beach in San Diego and watching those Padres play baseball, but especially enjoys weekend trips to colder climates.

And now we would like to introduce

our newest staff member, Shanelle Ogden. You'll see her at either the Information Desk or the Reference Desk. She comes to us from the County Attorney's Office where she volunteered in the Victim Witness Division.

Shanelle is a native of Arizona who graduated from ASU West with a degree in Administration of Justice. While enrolled in school, Shanelle worked part-time in a couple of downtown law firms. She is married and has a young daughter. Her interests include reading, hiking, and genealogy.

❑ From The Southeast Branch

The Law Library at Southeast is offering training on the electronic databases available via the Law Library's network.. Individual training can be facilitated based on the user needs. When setting up an appointment for training please indicate which databases are of interest. Databases available on the network include: *Arizona Reports*, *Arizona Revised Statutes*, *9th Circuit Cases*, and *U. S. Code*. For additional information please see the Electronic Resources section of this newsletter.

We also offer basic Westlaw training for judges. COJET credits can be obtained by taking these training sessions. Contact the Training Office for information.

Please call Mary Grace Oakes at x2067 for more information or to schedule a training session.

❑ Did You Know?

Find out how much you actually know about our judges and court history. Answers are on the bottom of page four.

1) Which judge was known as the "whittlin'" judge?

2) Which judge ordered an end to

barefoot desert marches as a means of punishment for hardened juvenile offenders?

3) Which judge dropped out of high school to join the US Army Paratroopers?

4) Which judge received the highest grade of those who took the bar exam in 1942?

5) Which judge had an acrobatic nightclub act and was billed as "The Boy Who Danced Atop the Empire State Building?"

New Materials in the Library

□ Book Reviews

Bernbach, Jeffrey M., *Job Discrimination: How to Fight, How to Win*. Crown Trade Paperbacks, 1996

"We're sorry, but we're looking for someone younger." How many times have you ever heard this when applying for a job? Can you identify different types of discrimination? Jeffrey Bernbach wants to help you in the pursuit of your employment. Don't become a victim on the job or before you even have one.

Mr. Bernbach's book is not designed to take the place of an attorney. He wrote it to help people understand their rights when it comes to employment. *Job Discrimination* will help you identify the varying types of discrimination. It will provide an overview of pursuing an employment discrimination claim and, maybe, answer some questions you might have regarding employment discrimination. If you think you have a claim, consult an attorney. If you aren't sure or until you are ready to see an attorney, start with *Job Discrimination* and see if Mr. Bernbach can't address some of your concerns. Find his book in our "New Book" section on the Plaza Level or in the general stacks at KF 3464 .Z9 B47 1996

Wong, Glenn M. *Essentials of Amateur Sports Law, 2nd ed.* 1994 Praeger Publishers.

Did you play sports in high school? College? Did you ever consider the legal ramifications of the game you were playing? Did you watch the Olympics last year? Who represents the participants interests? Well, it's called "amateur sports" and Mr. Wong has devoted an entire book to helping you understand the consequences of sports law.

Starting with an overview of sports law in general, Mr. Wong helps the reader understand the players involved. Then Mr. Wong presents an overview of the court system, as well as different amateur associations. Mr. Wong provides the reader with background information on the laws that amateur athletes should be concerned with, i.e. contract law, tort law, trademark law, to name a few.

If you are interested in amateur sports law I would recommend reading Mr. Wong's book, *Essentials of Amateur Sports Law, 2nd ed.* It's informative, concise and provides the basis for starting research on the subject. Find this book at KF 4166 .W66 1994.

□ Article Reviews

David Farnham. "Jury Nullification: History Proves It's Not a New Idea." 4 *Criminal Justice* 11 (Winter 1997)

This article takes a look at the history behind jury nullification and the impact this doctrine has on the modern legal system.

Farnham begins by reaching back to medieval England to look for the roots of this concept. He then analyzes some questionable jury verdicts and the reaction of the court to the action of the various jurors. After leaving England he travels to the Americas and the foundation of

the American legal system and attitudes by exploring cases in the colonies, the frontier and on through modern times.

Once Farnham has laid the foundation by exploring the case histories behind the doctrine of jury nullification he then moves onto the laws throughout the history of the country and the attitude various lawyers and courts have adopted. In specific Clarence Darrow's stand on the topic is analyzed.

Farnham concludes by examining the roll of the individual juror in creating or exacerbating situations and what courts and judges can do to try and mitigate the impact of a difficult juror. This article provides an interesting overview of the historical and legal precedents surrounding a difficult issue.

□ "Did You Know?" Answers

(Sources: *History of the Courthouses of Maricopa County and Judges Who Served There* except the last one which came directly from Judge Schafer himself!)

- 1) Judge Howard C. Speakerman
- 2) Judge Charles C. Bernstein
- 3) Judge David L. Gounds
- 4) Judge Warren L. McCarthey
- 5) Judge William Schafer

□ Recently Received Books

This last section contains a list of selected new materials received in the Library. Materials marked with an asterisk circulate. New materials are located on the shelves near the elevator on the plaza level for about one month. Please check the regular shelves if the book you are looking for is not there.

Avery, Michael
Police Misconduct: Law and Litigation
Clark Boardman Callaghan
KF 1307.A98 1996

California Construction Defect Litigation: Residential and Commercial
Wiley Law Publications
KFC 224.3 .M56 1993

Combating Violence and Delinquency: The National Juvenile Justice Action Plan
United States Department of Justice
HV 9104 .C655 1996

DeVries, Raymond G.
Making Midwives Legal: Childbirth, Medicine, and the Law
Fred B. Rothman
KF 2915.M5 D48 1996

Encyclopedia of American Prisons
Fred B. Rothman
HV 9471 .E425 1996

**Everyday Law Book : Answers to Your Most Frequently Asked Legal Questions*
Nolo Press
KF 387 .N65 1996

Franck, Matthew J.
Against the Imperial Judiciary: The Supreme Court vs. the Sovereignty of the People
Fred B. Rothman
KF 8748 .F647 1996

Goldschmidt, Jona
Certification of Questions of Law: Federalism in Practice
American Judicature Society
KF 8858 .G64 1995

Green, Michael D.
Bendectin and Birth Defects: The Challenges of Mass Toxic Substances Litigation
Fred B. Rothman
KF 1297.D7 G74 1996

Herskowitz, Suzan
**Legal Malpractice and Other Claims Against Your Lawyer*
Fred B. Rothman
KF 313.Z9 H47 1996

Johns, Leland M.
**California Damages: Law And Proof, 4th ed*
Michie
KFC 310 .J6 1996

Koppelman, Andrew
Antidiscrimination Law and Social Equality
Fred B. Rothman
JC 575 .K65 1996

Leonard, Robin
**Credit Repair*
Nolo Press
HG 3756 .u54 L46 1996

**Local Regulation of Adult Businesses*
Clark Boardman Callaghan
KF 5699 .G47 1996

Mauet, Thomas A.
**Trial Techniques*
Little Brown & Company
KF 8915 .M38 1996

McCarthy on Trademarks and Unfair Competition
Clark Boardman Callaghan
KF 3180 .M29 1996

Miller, Jerome G.
Search and Destroy: African-American Males in the Criminal Justice System
Fred B. Rothman
HV 9950 .M55 1996

Murray, John S.
Processes of Dispute Resolution: The Role of Lawyers
Fred B. Rothman
KF 9084.A7 M87 1996

New Frontiers of Sexual Harassment Litigation: Front-line for Plaintiffs and Defendants
Practising Law Institute
KF 34679 N48 1995

Randolf, Mary
**8 Ways to Avoid Probate*
Nolo Press
KF 750.Z9 R36 1996

Schwartz, Max
Engineering Evidence
Clark Boardman Callaghan
KF 8968.25 .S39 1996

Shenkman, Martin M.
**Starting a Limited Liability Company*
Fred B. Rothman
KF 1380 .S53 1996

Shulman, Gary A.
Dividing Pensions in Divorce: Learning From the Pension Experts
Wiley Law Publications
KF 532.7 .S578 1996

Shulman, Gary A.
**Qualified Domestic Relations Order Handbook*
Wiley Law Publications
KF 532.7 .S58 1993

Stuckey, Kent D.
Internet and Online Law
Law Journal Seminars-Press
KF 390.5.C6 S78 1996

Zuckerman, Amy J.
Sexual Orientation in the Workplace: Gay Men, Lesbians, Bisexuals, and Heterosexuals Working Together
Fred B. Rothman
HF 5549.5.S45 Z83 1996

□ Contributors

Editor:

Sarah Andeen

Writers:

Susan Armstrong
Michelle Dyer-Hurdon
Corinne Guthrie
Valerie Lerma
Mary Grace Oakes